IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THURSDAY THE TWENTY SIXTH DAY OF AUGUST TWO THOUSAND AND FOUR

: PRESENT :

THE HON'BLE MR.JUSTICE: **T.CH.SURYA RAO**

CRIMINAL PETITION No.3708 of 2004

Between:

Balija Mallamma.

Petitioner
(Accused in Cr.No.12/2003 of P.S.Yalal)

AND

The State of A.P., through P.S.Yalal.

. Respondent/
Complainant

Petition under Section 438 of Crl.P.C. praying that in the circumstances stated therewith, the High Court will be pleased to grant anticipatory bail to the Petitioner/A-5 in Crime No.12 of 2003 in PRC.No. 89 of 2003 directing the P.S.Yalal to release the Petitioner on bail in the event of arrest.

The Petition coming on for hearing upon perusing the petition and Grounds filed herein, and upon hearing the arguments of Mr. M.Vijay Kumar Goud, Advocate for the Petitioner and of the Public Prosecutor on behalf of the Respondent.

The Court made the following **ORDER:**

" Petitioner, who is A-5 in the crime, seeks anticipatory bail in connection with the case registered against her and four others under Sections 498-A and 306 of the Indian Penal Code.

A perusal of the First Information Report shows that the deceased used to question her husband, first accused in this case, about his extra-marital relationship with A-5, the wife of another, and was insisting him to sever such connections and that despite the same, it is alleged that A-1 continued his relationship and used to harass the deceased in that connection. In that view of the matter, the offence under Section 498-A IPC is not, prima facie, attracted in respect of A-5. Therefore, the request of the petitioner for anticipatory bail may be considered.

In the result, the petition is allowed and the petitioner shall be enlarged on bail, in the event of her arrest, on her executing a bond for Rs. 5,000/- (Rupees five thousand only) with two sureties for a likesum each, to the satisfaction of the SHO, Yalal Police Station, Rangareddy District. On such release, she shall cooperate with the Investigating Officer in the investigation.

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The I Addl. District and Sessions Judge, R.R.District at L.B.Nagar.

2. The SHO, Yalal Police Station, Ranga Reddy District.
3. Two CCs to the Public Prosecutor, High Court of A.P.Hyd(OUT)
4. One CC to Mr. M.Vijay Kumar Goud, Advocate (OPUC)
5. One spare copy.

SAH